

# UNITED STATES FEDERAL COMMUNICATIONS COMMISSION

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In Re:	)	
	)	No. 00-156
RONALD BRASHER, LICENSEE OF	)	
PRIVATE LAND MOBILE STATIONS	)	
WPLQ202, WPCG967, WPL0495,	)	
WPKH771, WPKI739, WPKI733,	)	
WPKI707, WIL990, WPLQ45,	)	
WPLY658, WPKY903, WPKY901,	)	
WPLZ533, WPKI762 AND WPDU262,	)	
DALLAS/FORT WORTH, TEXAS, et al.	)	

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In The Matter Of:	)	
	)	
RONALD BRASHER,	)	EB Docket No.: 00-156
	)	
Licensee of Private Land	)	
Mobile Stations WPLQ202,	)	
KCG967, WPLD495, WPKH771,	)	
WPKI739, WPKI733, WPKI707,	)	
WIL990, WPLQ475, WPLY658	)	
WPKY903, WPKY901, WPLZ553,	)	
WPKI762, and WPDU262,	)	
Dallas/Fort Worth, Texas,	)	
et al.	)	

Room TW-A-363  
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445 12th Street, N.W.  
Washington, D.C. 20554

Tuesday,  
February 27, 2001

The parties met, pursuant to the adjournment by  
the Judge, at 9:00 a.m.

BEFORE: HONORABLE ARTHUR I. STEINBERG  
Administrative Law Judge

APPEARANCES:

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I N D E X

<u>WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
Ronald Brasher (Resumes)	270	--	--	--	--
Examination by Judge:					

E X H I B I T S

	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
<u>Enforcement Bureau's:</u>			
3	(Prev.)	245	--
4	(Prev.)	257	--
5	(Prev.)	257	--
6	(Prev.)	258	--
7	(Prev.)	258	--
18	(Prev.)	260	--
19	(Prev.)	260	--
20	(Prev.)	263	--
22	(Prev.)	264	--
24	(Prev.)	264	--
25	(Prev.)	264	--
26	(Prev.)	265	--
28	(Prev.)	265	--
29	(Prev.)	265	--

E X H I B I T S

	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
<u>Enforcement Bureau's:</u>			
31	(Prev.)	265	--
32	(Prev.)	265	--
34	(Prev.)	266	--
35	(Prev.)	266	--
36	(Prev.)	266	--
37	(Prev.)	266	--
38	(Prev.)	266	--
39	(Prev.)	266	--
40	(Prev.)	266	--
41	(Prev.)	266	--
42	(Prev.)	266	--
43	(Prev.)	266	--
44	(Prev.)	266	--
45	(Prev.)	266	--
46	(Prev.)	266	--
47	(Prev.)	266	--
48	(Prev.)	266	--
49	(Prev.)	266	--
50, pps. 1 - 11	(Prev.)	267	--
50, pps. 12 - 18	(Prev.)	267	--
51	(Prev.)	269	--
52	(Prev.)	269	--

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E X H I B I T S

	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
<u>Enforcement Bureau's:</u>			
53	(Prev.)	269	--
54	(Prev.)	269	--
55	(Prev.)	269	--
56	(Prev.)	269	--
57	(Prev.)	269	--
58	(Prev.)	269	--
59	(Prev.)	269	--
60	(Prev.)	269	--
61	(Prev.)	269	--
62	(Prev.)	269	--
63	(Prev.)	269	--
64	(Prev.)	269	--
65	(Prev.)	269	--
67	327	329	--
68	339	347	--

P R O C E E D I N G S

(9:00 a.m.)

JUDGE STEINBERG: We're on the record now.

Anything get accomplished this morning?

MS. LANCASTER: Yes, sir. We have a couple of preliminary matters we would like to discuss --

JUDGE STEINBERG: Okay.

MS. LANCASTER: -- regarding the exhibits.

It was pointed out to us yesterday that Exhibit 19, the Enforcement Bureau's Exhibit 19 was missing a page, page 500, so I --

MR. KNOWLES-KELLETT: Bates stamped 500.

MS. LANCASTER: Bates stamped 500, so I have made copies and would ask that we just be allowed to insert page 500 into Enforcement Bureau's Exhibit 19.

MR. ROMNEY: No objection, Your Honor.

JUDGE STEINBERG: Okay, we will do that. I have a 500. As a matter of fact, I have two of them.

MS. LANCASTER: Oh, then maybe that's where somebody's went.

(Laughter.)

MS. LANCASTER: Somehow in the assembly of all the notebooks we evidently left out some page 500s, Your Honor. So I believe that has been rectified. I have handed out that page to all of the attorneys.

1 JUDGE STEINBERG: Let me make sure your 500 --  
2 yes, I have got several of them.

3 MR. ROMNEY: We have a --

4 JUDGE STEINBERG: I have duplicate 500s and 510s,  
5 so I just pulled them out. But I think I might have been  
6 missing some other pages, but let me find those. I have  
7 little notes on there.

8 MS. LANCASTER: I want to check this copy.

9 JUDGE STEINBERG: Well, just make sure the  
10 reporter has a 500.

11 MS. LANCASTER: This copy has it, so evidently  
12 many of the copies have it. There were only a few that did  
13 not have it, Your Honor. So we have supplied it. Now that  
14 we know you are missing other pages, I'll be happy to --

15 JUDGE STEINBERG: Where did I write that down? It  
16 would come up.

17 MS. LANCASTER: Aside from that, we have reviewed  
18 the various documents listed in the Enforcement Bureau index  
19 of exhibits, and I believe there are only four documents  
20 that opposing counsel has any exceptions to, Your Honor.

21 JUDGE STEINBERG: Why don't we go through them by  
22 number.

23 MS. LANCASTER: Okay.

24 JUDGE STEINBERG: One, one and two have been  
25 received. How about three?



1 MS. LANCASTER: I believe that's unopposed, Your  
2 Honor.

3 MR. ROMNEY: Unopposed, Your Honor.

4 JUDGE STEINBERG: Okay, so Exhibit 3 will be  
5 received.

6 MS. LANCASTER: Yes, sir, we ask that it be.

7 (The document referred to,  
8 previously identified as  
9 Enforcement Bureau Exhibit No.  
10 3, was received in evidence.)

11 MR. ROMNEY: Your Honor, if I could just make a  
12 statement.

13 JUDGE STEINBERG: Yes.

14 MR. ROMNEY: I have no objection to the  
15 admissibility of the documents. I certainly don't attest to  
16 the origin of the documents or the authenticity of those, or  
17 that they indeed represent what they purport to represent.

18 JUDGE STEINBERG: Well, I think a lot of these are  
19 official notice documents, and come from the Commission's  
20 files; is that correct?

21 MS. LANCASTER: Yes, sir.

22 JUDGE STEINBERG: And that's --

23 MS. LANCASTER: Some of the ones that Mr. Romney  
24 is taking exception to are official notice documents. For  
25 example, it's my understanding that Mr. Romney will not

1 agree to the admission of Exhibit 4, which is the license of  
2 O. C. Brasher in the database format, which comes from the  
3 Commission's computer records.

4 And we would ask that that be admitted on official  
5 notice.

6 JUDGE STEINBERG: Well, on official notice, that  
7 would mean this is what the Commission's database shows, not  
8 that -- you know, not that the information in the database  
9 is true.

10 MS. LANCASTER: Well, we believe that information  
11 in the database is true, Your Honor, but yes, it is the  
12 Commission's database.

13 JUDGE STEINBERG: Okay. Well, let's do -- three  
14 is received. Okay, let's skip over -- you object to four,  
15 let's skip over four.

16 MR. ROMNEY: Yes, sir, just for the reason, Your  
17 Honor, no offense intended. I don't understand the quality  
18 of what the FCC database may contain. And if Your Honor can  
19 take official notice of it over my objection, that's fine  
20 with me. I don't have any problems with that. But I just  
21 don't understand the nature of that document, and I  
22 apologize for my ignorance of that as far as FCC rules are  
23 concerned.

24 JUDGE STEINBERG: Okay. Mr. Pedigo?

25 MR. PEDIGO: We're just going to adopt the

1 objections of Mr. Romney on that part, but so long that it's  
2 that same theory, that this is what their records show. But  
3 in terms of reserving our right to comment that something  
4 has been, you know, one from one record put with another  
5 record, you know, we won't know that till it comes up.

6 JUDGE STEINBERG: Well, if you can show that the  
7 records in the database inaccurate.

8 MR. PEDIGO: As long as we reserve our right to  
9 bring up those points, then --

10 JUDGE STEINBERG: No, this -- for the official  
11 notice documents, the way I look at them is these are  
12 documents that were filed with the Commission, for instance,  
13 let's say the petition for order to show cause; is that an  
14 official -- yes, that's an official one. You can use that  
15 to show on such and such a date so and so filed a petition  
16 for order to show cause, and the petition for order to show  
17 cause said this; not that what it said was true, but just  
18 that the Commission's records reflect that such a document  
19 was filed on such and such a date by so and so.

20 MR. PEDIGO: Yes, Your Honor.

21 JUDGE STEINBERG: Now, if you want to quote from  
22 the document, somebody can quote from the document. I look  
23 at that as background. The same thing with the database, if  
24 the Commission's database says whatever it says, and I don't  
25 pretend to know what all those little boxes mean, that the

1 Commission's database says that let's say on Exhibit 4, page  
2 3, that the tower owner is Metroplex Two Way, and the  
3 telephone number is this, and that's what the database shows  
4 this, and the telephone number might be something else. And  
5 if it becomes significant, you could put on a witness that  
6 says, no, the telephone number is not this, and the tower  
7 owner is not Metroplex Two Way Radio.

8 MR. PEDIGO: Yes, sir.

9 JUDGE STEINBERG: But the way I look at the  
10 official notice documents is that this is what the document,  
11 this document was filed with the Commission or was found in  
12 the Commission's files, and this is what it say, not that  
13 what it says is true.

14 Now, it's a little different if you are talking  
15 about responses to Commission inquires, of course, those  
16 bear verifications or affidavits or declarations under  
17 penalty of perjury saying the facts contained -- in essence,  
18 saying the facts contained therein are true and correct. So  
19 that's almost the same as testimony.

20 Yes, you can official notice of the response, but  
21 there where someone is vouching for the truth and accuracy  
22 of the facts contained therein, I'm going to look at the  
23 facts.

24 MR. PEDIGO: Yes, Your Honor, and that's how we  
25 are analyzing it. I mean, it's 801, it's not defined as

1 hearsay if it's an official notice documents. It's not for  
2 the truth of the matters asserted therein. So we are fine  
3 with that.

4 But if they are going to produce their records  
5 under the, you know, some kind of public records exception  
6 to 803, the hearsay rule, then that's where we need to make  
7 sure we reserve our rights to point out problems with the  
8 documents, and I don't mean problems in a large sense other  
9 than there was one notice filed or one response filed April  
10 of 1999, and they put in there that Diane Brasher was a  
11 director. Well, that just was -- she's not a director.

12 So I understand the document would come in as an  
13 exception to the hearsay rule, but I just want to make sure  
14 we reserve our right, and we're not stipulating to the  
15 accuracy of every implied assertion or assertion therein.

16 JUDGE STEINBERG: Well, I think if they are  
17 documents that come from your clients or from your clients'  
18 attorneys, and they are sworn to by your clients that says  
19 Diane is a director, then you put Diane up and say she's not  
20 a director and explain how that language got in there, and  
21 then I'll weigh it.

22 MR. PEDIGO: Yes, it goes to the weight, Your  
23 Honor.

24 JUDGE STEINBERG: Yes.

25 MR. PEDIGO: That's our point. It's not that just

1     because it's in there --

2             JUDGE STEINBERG:   Yes.

3             MR. PEDIGO:   -- that we can't explain that.

4             JUDGE STEINBERG:   No.   No, you can explain  
5     anything you want to.

6             MR. PEDIGO:   Right, right.

7             JUDGE STEINBERG:   But you know, what I am saying  
8     is statements were made in documents that were sworn to or  
9     that were covered by affidavits or declarations, and those  
10    statements -- you know, Mr. Brasher presumably read the  
11    documents, signed an affidavit, read the document, looked at  
12    the back, signed an affidavit saying these facts are  
13    accurate, and it came into the Commission.   That's a  
14    representation by him to the Commission.

15            MR. PEDIGO:   Yes, Your Honor.   And under Article 8  
16    of the Federal Rules of Evidence, we don't have a problem  
17    with the admissibility, but there can be some things that by  
18    oversight, the fact that she was labeled as a director, we  
19    need to point that out so --

20            JUDGE STEINBERG:   Well, you can certainly point it  
21    out.

22            MR. PEDIGO:   I just want to make sure the  
23    stipulation was to the admissibility, and that we'll waive  
24    objections under Article 8 of the Federal Rules of Evidence,  
25    for example, and not stipulating to the accuracy of every

1     assertion therein.

2             JUDGE STEINBERG: Well, I'll handle that when I  
3     write my decision. For instance, Ms. Lancaster will say,  
4     for example, in such and such a document they said Diane was  
5     a director, she wasn't a director, they lied. So you can  
6     respond to that. Diane testified that it was an oversight.  
7     And then I weigh -- I determine whether it was an oversight  
8     or a lie.

9             MR. PEDIGO: Or an admission of some fact.

10            JUDGE STEINBERG: Well, or an admission or  
11     whatever.

12            MR. PEDIGO: Fine.

13            MS. LANCASTER: Your Honor.

14            JUDGE STEINBERG: But I mean, we are not -- we are  
15     not bound by the rules of evidence here, and basically I can  
16     receive into evidence anything I want.

17            MR. PEDIGO: I recognize that. It's the principle  
18     behind the evidence --

19            JUDGE STEINBERG: Yes.

20            MR. PEDIGO: -- that goes to the reliability of  
21     what the Court is looking at. That's how we are going to  
22     approach it as --

23            JUDGE STEINBERG: Well, we've got -- we've got an  
24     issue here as to whether or not there were  
25     misrepresentations and lack -- and whether the -- whether

1     they were misrepresentations or there was lack of candor on  
2     behalf of the licensee, and hypothetically there comes a  
3     point in time where if the documents -- I mean, there were a  
4     lot of written documents submitted to the Commission by the  
5     licensee, and if they are just riddled with inaccuracies  
6     this starts to be a little pattern. If it's one inaccuracy,  
7     everybody can understand that there was an inaccuracy, and  
8     there was a lack of communication or something like that.

9             But if it's five or six or seven or eight, there  
10     was -- you know, that seems to me to exhibit some kind of a  
11     pattern, to put the best line on it, carelessness, or lack  
12     of attention to detail and stuff like that. And then it's  
13     up to me to determine whether the hue has been met, what the  
14     conclusion should be.

15             So you are -- everyone is free to point out that  
16     anything in this is inaccurate. In this, I mean all the  
17     exhibits is inaccurate, but that wouldn't affect the  
18     admissibility --

19             MR. PEDIGO: Right.

20             JUDGE STEINBERG: -- of documents that were filed  
21     with the Commission.

22             MR. PEDIGO: Yes, Your Honor.

23             JUDGE STEINBERG: Now, the database is -- I mean,  
24     there could be typing errors in it.

25             MR. PEDIGO: Right.



1 JUDGE STEINBERG: Transcription, whatever, you  
2 know the way they go from paper to computer. And if it's a  
3 critical matter, certainly you are free to point it out.

4 MR. PEDIGO: That's a key point for us, the  
5 materiality. I mean, whether she is a director or not, or  
6 she's an officer, we don't -- I mean, that's not a material  
7 thing so we know that will get weighed in.

8 JUDGE STEINBERG: Yes.

9 MR. PEDIGO: The analysis of that. I bring that  
10 up as an example of --

11 JUDGE STEINBERG: Well, it might be material if  
12 there is misconduct attributed to her, and if there is  
13 misconduct, then it's misconduct by an officer or a director  
14 or shareholder or whatever.

15 MR. PEDIGO: Right.

16 JUDGE STEINBERG: And that's attributable to the  
17 licensee.

18 MR. PEDIGO: But in this case it --

19 JUDGE STEINBERG: So it is material.

20 MR. PEDIGO: Well, since the officer status is  
21 not, is not questioned --

22 JUDGE STEINBERG: Yeah, right.

23 MR. PEDIGO: -- for Diane, I just think it seems  
24 to me meaningless whether she was a director or wasn't, I  
25 mean, an officer. So it takes the analysis the same way.

1 JUDGE STEINBERG: But it would also -- it might  
2 affect the analysis on the misrepresentation and candor  
3 issue. Well, here we go, they said this, but she wasn't  
4 this. I mean, if that's the only thing, then you know  
5 hypothetically that's less important than if there are 30  
6 things.

7 MR. PEDIGO: I understand, Your Honor.

8 MS. LANCASTER: Your Honor, if I might --

9 JUDGE STEINBERG: Sure. Sure, you've been --  
10 you've been very patient.

11 MS. LANCASTER: -- regarding the database format  
12 exhibits, it is our position that these -- for example,  
13 Exhibit 4, which is the information about the license of O.  
14 C. Brasher, would indicate that O. C. Brasher was issued a  
15 license for WPJR761, and that license was granted on 9-25-  
16 96, and the detail or additional information about that  
17 license is listed as in this exhibit, and that is from the  
18 database.

19 If necessary, we can bring someone from Gettysburg  
20 who maintains the database to explain that the information  
21 in the database comes directly from the grant of the  
22 license, and it is the permanent record basically of the  
23 FCC.

24 But we disagree that it has no probative value as  
25 to whether a license is issued. We believe that it does

1 mean that a license was issued.

2 I am not arguing -- I am not stating that there  
3 may be some minor typo in this somewhere as the document was  
4 entered into the database. But I think the burden would be  
5 upon anyone who opposes admission of this document to point  
6 out whatever typo there is. I don't know of any. And if I  
7 did know of some, I would tell you. But we do believe that  
8 this exhibit has probative value as proof that the license  
9 was granted to O. C. Brasher on that date.

10 JUDGE STEINBERG: Is that going to be a question  
11 of fact, that a license was granted to O. C. Brasher on  
12 September 25 of '96, or whatever?

13 MR. PEDIGO: It's going to be in our proposed  
14 findings.

15 I mean, if that's the only -- pardon me?

16 MR. KNOWLES-KELLETT: It's going to be in our  
17 proposed findings, Your Honor.

18 MS. LANCASTER: We certainly are using these as  
19 proof that the license was granted. So if there an  
20 objection on that basis, we need to address it.

21 JUDGE STEINBERG: Well, that's something you ought  
22 to know. And --

23 MS. LANCASTER: I had not heard of the objection.

24 JUDGE STEINBERG: I'm going to tell you how to --  
25 if you want to bring a witness to testify to that, that's up

1 to you. I don't care.

2 MS. LANCASTER: Well, I'm just not sure I  
3 understand when you said that official notice means that  
4 there is a record but it doesn't mean that the record is  
5 true, then I'm not sure what the position of Mr. Romney is  
6 on that, or Mr. Pedigo is as far as if they are contesting  
7 that these licenses were actually granted.

8 JUDGE STEINBERG: Well, yeah, I could see -- I  
9 mean, writing findings saying according to Commission's  
10 records, O. C. Brasher received a grant of license on  
11 September 25, 1996. And if that's not -- you know, if there  
12 is nothing in the record saying he didn't, then he did, I  
13 guess.

14 I mean, do you challenge that as a fact?

15 MR. ROMNEY: I don't challenge that.

16 JUDGE STEINBERG: Okay.

17 MR. ROMNEY: No, sir. I don't have the foggiest  
18 idea what this official database is, what it has in it, how  
19 it gets in there. Your Honor may know all that, and I kind  
20 of echo what Mr. Pedigo said. For purposes of the hearsay  
21 rule, an official record can certainly be gotten past the  
22 hearsay rule as an official document. That doesn't  
23 necessarily go to the weight that the Court should give the  
24 evidence, or the accuracy of the evidence, and prohibit  
25 anyone from bringing any details in that they might want to

1 bring in about the unreliability of that particular piece of  
2 evidence.

3 I don't intend to do that, but I just -- I don't  
4 know what a database is. I don't have the foggiest idea,  
5 and I'm not saying that Your Honor can't take official  
6 notice of it. I'm sure you can.

7 JUDGE STEINBERG: Okay. So I guess, four then  
8 it's received over the objection of Mr. Romney and Mr.  
9 Pedigo.

10 (The document referred to,  
11 previously identified as  
12 Enforcement Bureau Exhibit No.  
13 4, was received in evidence.)

14 JUDGE STEINBERG: And then let me see, how about  
15 No. 5?

16 MS. LANCASTER: That's without objection, Your  
17 Honor.

18 JUDGE STEINBERG: Okay, Exhibit 5 is received.

19 (The document referred to,  
20 previously identified as  
21 Enforcement Bureau Exhibit No.  
22 5, was received in evidence.)

23 JUDGE STEINBERG: Exhibit 6?

24 MS. LANCASTER: That's without objection.

25 JUDGE STEINBERG: Exhibit 6 is received.

1 (The document referred to,  
2 previously identified as  
3 Enforcement Bureau Exhibit No.  
4 6, was received in evidence.)

5 JUDGE STEINBERG: Exhibit 7?

6 MS. LANCASTER: There are no objections to Exhibit  
7 7, Your Honor.

8 JUDGE STEINBERG: Exhibit 7 is received.

9 (The document referred to,  
10 previously identified as  
11 Enforcement Bureau Exhibit No.  
12 7, was received in evidence.)

13 JUDGE STEINBERG: Exhibit 8 has already been  
14 received. Nine has been received.

15 Okay, 10, there were problems with yesterday.

16 MR. ROMNEY: Right.

17 MS. LANCASTER: Yes, Your Honor. My understanding  
18 is that Mr. Romney and Mr. Pedigo object to Exhibit 10 --

19 JUDGE STEINBERG: Why don't they speak for  
20 themselves.

21 MS. LANCASTER: Okay.

22 MR. ROMNEY: I object to Exhibit 10.

23 JUDGE STEINBERG: That's it?

24 MR. ROMNEY: Well, I mean, the problems that were  
25 pointed out in the court yesterday, Your Honor. I think

1     there are certainly questions about it, certain that Mr.  
2     Brasher can't address on all the documents that were put  
3     before him.

4             It appears to be some sort of an amalgamation of  
5     documents. I have never had a chance to question Mr. Black  
6     about it. I suggests that we wait until Mr. Black gets  
7     here.

8             JUDGE STEINBERG: Okay, that's what we will do. I  
9     believe Ms. Lancaster said this came from his files?

10            MS. LANCASTER: Yes, sir.

11            JUDGE STEINBERG: Okay, let's find out from him.  
12            The next one is Exhibit 13?

13            MR. ROMNEY: The same issues, I think, pertain to  
14     that one as pertains to No. 10.

15            JUDGE STEINBERG: Okay, is this another one that  
16     came from Mr. Black's files?

17            MS. LANCASTER: Yes, sir.

18            JUDGE STEINBERG: Okay, we'll hold off on Exhibit  
19     13.

20            The next one will be Exhibit 18.

21            MS. LANCASTER: I don't believe there is any  
22     objection Exhibit 18, Your Honor.

23            MR. ROMNEY: Sixteen and 17 have not --

24            JUDGE STEINBERG: They were received yesterday.

25            MR. ROMNEY: Were they received?

1 JUDGE STEINBERG: Yes, sir.

2 MR. ROMNEY: No objection to 18.

3 JUDGE STEINBERG: Okay, 18 is received.

4 (The document referred to,  
5 previously identified as  
6 Enforcement Bureau Exhibit No.  
7 18, was received in evidence.)

8 JUDGE STEINBERG: Exhibit 19 which is the giant  
9 notebook.

10 MS. LANCASTER: I don't believe there is any  
11 objection to that.

12 MR. ROMNEY: With the addition of that page 500,  
13 make sure that that's in the official records, we have no  
14 objection.

15 JUDGE STEINBERG: Okay, and you just added it?

16 MS. LANCASTER: We've done that, Your Honor.

17 JUDGE STEINBERG: Nineteen is received.

18 (The document referred to,  
19 previously identified as  
20 Enforcement Bureau Exhibit No.  
21 19, was received in evidence.)

22 JUDGE STEINBERG: And if I find my little note  
23 relating to -- I think I was missing some pages.

24 MS. LANCASTER: I'll be happy to supply them.

25 JUDGE STEINBERG: Yes, I don't -- I know I had to



1 reorder a whole bunch of pages because they were out of  
2 sequence, and that's when I found some duplicate pages, but  
3 I will find my note. It's somewhere.

4 MR. PEDIGO: On 19 --

5 JUDGE STEINBERG: Yes, sir.

6 MR. PEDIGO: -- Ms. Lancaster and I had a  
7 discussion yesterday, and so it's clear that we are  
8 reserving our right to get into the collation errors on that  
9 document, especially as it pertains to Exhibit 5, which has  
10 come in, so to make sure it's clear what was submitted to  
11 the FCC and at what times, and what actual documents were  
12 created in real time.

13 JUDGE STEINBERG: Oh, okay.

14 MS. LANCASTER: Your Honor, if I might respond to  
15 that. When you say "collation error," I think the errors  
16 that Mr. Pedigo were talking about are parts of Exhibit 19  
17 that came to us.

18 You are not contending that we have -- that the  
19 FCC has miscollated anything?

20 MR. PEDIGO: No, this is like missing page 500.  
21 It's just -- it's an administrative oversight, I would  
22 guess, and it looks like that was the condition of the  
23 document, I believe, I would like to hear that --

24 MR. ROMNEY: Your Honor, I believe it was a  
25 collation error committed in our offices in D.C. here. The

1 wrong signature page was put on that document. Mr. Brasher  
2 is the one that signed it, Ron Brasher, not David, and there  
3 is a wrong signature page.

4 JUDGE STEINBERG: On what document?

5 MR. ROMNEY: That's Exhibit 5 to Exhibit 19.

6 MR. PEDIGO: Exhibit 5 is the correct one, I  
7 believe.

8 MR. ROMNEY: Oh, okay.

9 MR. KNOWLES-KELLETT: All of this goes to what the  
10 errors in the responses submitted to the Commission. It  
11 doesn't have anything do with the admissibility of the  
12 exhibit, that that was the response received by the  
13 Commission.

14 JUDGE STEINBERG: Okay. Well, you can certainly  
15 do it on your direct examination of your witnesses --

16 MR. KNOWLES-KELLETT: Sure.

17 JUDGE STEINBERG: -- and you know, whatever the  
18 problem was because I don't know what you are talking about,  
19 but I suppose I'll find out.

20 MR. WILSON: Stay tuned.

21 JUDGE STEINBERG: We're not talking -- you know,  
22 what I was talking about with collation errors is I'm not  
23 sure that these exact pages, like when I was going through  
24 it, I noticed that there was page 487, then the next page  
25 was 501, and then I went along and found 488 to 500

1     someplace else. So I just went through my copy and put the  
2     Bates stamp numbers in a row. But that's not the type of  
3     thing you are talking about?

4             MR. PEDIGO: No. For example, I think we were  
5     missing page 2 to Exhibit 13. I'm not accusing the FCC or,  
6     you know, Mr. Romney of anything nefarious. I'm just  
7     saying, you know, those are the kinds of things when you are  
8     putting together lots of documents oversights happen, both  
9     of those cases. But we made a record now, so we're fine.

10            JUDGE STEINBERG: Let's go to Exhibit 20. Any  
11     objection?

12            MR. KNOWLES-KELLETT: So 19 was received?

13            JUDGE STEINBERG: Yes, 19 was received.

14            MS. LANCASTER: No objections to Exhibit 20, Your  
15     Honor.

16            MR. ROMNEY: No objections, Your Honor, to 20.

17            JUDGE STEINBERG: Twenty is received.

18                                 (The document referred to,  
19                                 previously identified as  
20                                 Enforcement Bureau Exhibit No.  
21                                 20, was received in evidence.)

22            JUDGE STEINBERG: Exhibit 22?

23            MS. LANCASTER: I don't believe there are any  
24     objections, Your Honor.

25            MR. ROMNEY: Your Honor, I have no objections

1     until you get down to No. 50.

2             JUDGE STEINBERG:   Okay, this is page 50?

3             MR. ROMNEY:   Exhibit 50, Your Honor.

4             JUDGE STEINBERG:   Oh, Exhibit 50, okay.

5             MR. ROMNEY:   And that's the only one I have a  
6     problem with.

7             JUDGE STEINBERG:   Well, let's do -- 22 is  
8     received.

9                             (The document referred to,  
10                            previously identified as  
11                            Enforcement Bureau Exhibit No.  
12                            22, was received in evidence.)

13             JUDGE STEINBERG:   Same thing for you, Mr. Pedigo?

14             MR. PEDIGO:   Yes, Your Honor.

15             JUDGE STEINBERG:   Okay, 23 was received yesterday.  
16     Twenty-four is received.

17                             (The document referred to,  
18                            previously identified as  
19                            Enforcement Bureau Exhibit No.  
20                            24, was received in evidence.)

21             JUDGE STEINBERG:   Exhibit 25 is received.

22                             (The document referred to,  
23                            previously identified as  
24                            Enforcement Bureau Exhibit No.  
25                            25, was received in evidence.)